United Nations A/C.1/54/L.52

General Assembly

Distr.: Limited
22 October 1999

Original: English

Fifty-fourth session
First Committee
Agenda item 80
Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Liechtenstein, Lithuania, Luxembourg, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, The former Yugoslav Republic of Macedonia, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 53/81 of 4 December 1998 and previous resolutions referring to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[1]

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention, together with the Protocol on Non-Detectable Fragments (Protocol I),[1] the Protocol on Prohibitions or Restrictions of the Use of Mines, Booby Traps and Other Devices (Protocol II)[1] and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),[1] which entered into force on 2 December 1983,

Also recalling with satisfaction the adoption by the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional

[1] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

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Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, on 13 October 1995 of the Protocol on Blinding Laser Weapons (Protocol IV),[2] and on 3 May 1996 of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II),[3]

Recalling that the States Parties at the Review Conference declared their commitment to keeping the provisions of Protocol II under review in order to ensure that the concerns regarding the weapons it covers are addressed, and that they would encourage efforts of the United Nations and other organizations to address all problems of landmines,

Recalling also the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto,

Welcoming the additional ratifications and acceptances of or accessions to the Convention, as well as the ratifications and acceptances of or accessions to the amended Protocol on Prohibitions or Restrictions on the use of Mines, Booby Traps and Other Devices (Protocol II) and to the Protocol on Blinding Laser Weapons (Protocol IV),

Noting that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by existing Protocols or to review the scope and application of the Convention and the Protocols annexed thereto and to examine any proposed amendments or additional protocols,

Welcoming the decision adopted by the Review Conference in its Final Declaration[4] on 3 May 1996 to convene a Review Conference no later than 2001;

Noting that, in accordance with article 13 of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II), a conference of States parties to that Protocol shall be held annually for the purpose of consultations and cooperation on all issues relating to the Protocol,

Noting that the provisional rules of procedure of the first annual conference of High Contracting Parties to Protocol II provide for the invitation of States not party to the Protocol, the International Committee of the Red Cross, as well as interested non-governmental organizations, to take part in the conference,

I

1. *Expresses satisfaction* that the Protocol on Blinding Laser Weapons (Protocol IV) entered into force on 30 July 1998, commends it to all States with a view to achieving the widest possible adherence to this instrument at an early date and calls, in particular, upon all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocol;

2. *Welcomes* the entry into force on 3 December 1998 of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[3] and calls, in particular, upon all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocol;

3. *Notes* the convening, from 15 to 17 December 1999, of the first annual conference of High Contracting Parties to the Protocol, in accordance with article 13 of

[2] CCW/CONF I/16 (Part I), annex A.

[3] Ibid., annex B.

[4] Ibid., annex C.

amended Protocol II, and welcomes in this context the successful preparatory meeting held by States parties on 25 and 26 May 1999;

II

1. *Calls upon* all States parties that have not yet done so to notify the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, of their consent to be bound by the Protocol on Blinding Laser Weapons (Protocol IV), and by the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II);

2. *Welcomes* the convening, from 15 to 17 December 1999, of the first annual conference of High Contracting Parties to Protocol II, in accordance with article 13 thereof;

3. *Calls upon* all High Contracting Parties to Protocol II to address at the conference, *inter alia*, the issue of holding the second annual conference in 2000;

4. *Requests* the Secretary-General to render the necessary assistance and to provide such services as may be required for the second annual conference of High Contracting Parties to Protocol II and for its preparatory committee;

III

1. *Recalls* the decision of States parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to convene the next review conference no later than 2001, preceded by the preparatory committee;

2. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the second Review Conference of the States parties to the Convention and its preparatory committee;

3. *Urgently calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and its Protocols, and in particular to amended Protocol II, with a view to achieving the widest possible adherence to this instrument at an early date, and calls upon successor States to take appropriate measures so that ultimately adherence to these instruments will be universal;

4. *Requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform it periodically of ratifications and acceptances of and accession to the Convention and its Protocols;

5. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Convention on Prohibitions or Restrictions on the use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".